



Family Water Alliance

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Mr. Paul Dabbs
Statewide Water Planning Branch
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

RE: Comments on the California Water Plan, Bulletin 160-05

Dear Mr. Dabbs:

Family Water Alliance (FWA) is a nonprofit, grassroots organization, whose mission is education and public outreach in an effort to protect private property rights, water rights, and the preservation of rural agricultural communities in Northern California. As the protection of a secure and affordable water supply, upon which farmers depend to produce food and fiber for the state, the nation, and the world, is instrumental to the continued economic viability of rural communities in Northern California, we take great interest in the most recent version of the State Water Plan. As such, after a thorough review and analysis of the Plan, I hereby provide the following comments on behalf of FWA.

To begin, I would like to applaud the great effort undertaken by the DWR staff, and all of the varied contributors in completing the Plan. The effort to satiate our state's great thirst for today, and more importantly tomorrow and into the future, is a Herculean task of monumental import. The new and innovative approach to the Plan is successful in painting a broader picture of the full portfolio of factors that must be inserted into California's water equation, a much needed addition that will facilitate better decisions making and public policy. I also wish to applaud the efforts to promote integrated regional water management plans, a long overdue instrument for promoting efficient use of water resources and funding.

However, any hopes for success at implementing a plan that will be successful in assuring water supply reliability for the many competing interests will require innovation, political courage, and long term planning. While I applaud the great efforts to accumulate the necessary data and the analysis undertaken, the document does appear in some respects to be too politically motivated. This is evidenced by the great efforts to avoid directly addressing some of the inherent conflicts in improving water supply reliability caused by radical environmentalism, the inclusion of inaccurate rhetoric, and the failure to include the previously applied “gap analysis”.

Gap Analysis

To continue on the issue of “gap analysis”, it has historically been a constant in past reports, informing the public and policymakers of the demand that must be met and investments that must be made to assure that there is an adequate supply of water to meet all of the needs of the residents of the state, including urban, industrial, agriculture, and environmental. By purposefully not including this item, it cries out of an attempt to conceal the quantitative analysis that is necessary to assure we are committed to making the necessary investments to meet water demands into the future. It is imperative that this analysis be included in the document. This fact is even more crucial in light of the anticipated growth of many regions of the state, the water losses anticipated due to overuse of the State’s Colorado River allotment, and due to the implications that have been caused by reallocations of water resources for environmental purposes.

At the field hearing on the report, it was stated that the gap analysis was left out due to unfriendly public comment based on the previous publication of the “gap analysis”, and due to the lack of usefulness of this information. To the contrary, a statewide and region wide gap analysis would provide information that would give policymakers an accurate view of the whole picture to more fully understand what infrastructure is needed to meet these demands, both in terms of supply and conveyance infrastructure. Moreover, the public is entitled to know the full picture, despite the criticism which may result, anything less is concealment of vital information that should be the subject of public scrutiny.

CALFED/ERP

While the goals of CALFED are for the most part laudable, what has occurred to date, in regard to actually accomplishing these goals and the irresponsible squandering of billions of dollars in public funds, is a travesty. After five years, we have made little progress in regard to water supply reliability, water quality, levee stability, conveyance or ecosystem restoration. In fact, I would say we have gone backwards due to the fact that we have wasted precious time and resources, with little to show for it.

The efforts of CALFED should be refocused to the Delta area specifically. While beneficiary pays is a worthy mandate, across the board user fees, especially for the water

users north of the Delta, belie that concept where these proposed fees are not linked to any specific benefit to specific regions or districts.

Moreover, the CALFED agencies must learn what it is to be an owner of property. Thousands of acres of prime farmland have been acquired and restored to habitat. This has come at a huge expense that has been funded by bonds that has put the state in debt into the future. Further, the mismanagement and poor design of these projects have resulted in a variety of redirected negative impacts in violation of the Record of Decision, including: cross boundary issues (crop predation, seepage, flooding, curtailment of cultural practices), non-payment of in-lieu taxes, disregard for third party economic impacts, degradation of the flood control system, the jeopardizing of important hardpoints (diversions, bridges, boat ramps), regulatory and trespass concerns. All of which have raised the cost of doing business for agriculture operations, in an industry that cannot pass these costs on to consumers, and negatively impacted local governments by depriving them of the funding to provide important services. CALFED ERP projects must start paying their full price for owning property, instead of placing the onus on private property owners and rural communities. Instead, I hope future environmental investments would be fully mitigated, minimize impacts, and focus on Ag Land Stewardship that has worthwhile incentives for participation. If properly implemented and user friendly, it is likely to be more successful, cheaper, and will build the partnerships necessary to make the CALFED program a success.

Most importantly, the CALFED program needs to refocus its efforts on proceeding in a balanced manner. The funding and primary focus has been solely on environmental benefits, with little progress being made toward new water storage, in violation of the federal requirements set forth in HR 2828.

Flood Control

I greatly appreciate the category of flood control being included in the Plan. It is an area in great need of attention, as set forth in DWR's own Flood Crisis report, the USACE report that identifies the 186 erosion points, 25 deemed critical, the Jones Tact levee failure, and the recent Paterno Decision. A return to providing the necessary investment in this vital infrastructure is long overdue. Policies need to be reworked to permit the affordable maintenance of the system to occur in a timely manner. Specifically, all of the following must be completed to assure the protections of lives and investments of the residents of the Central Valley: (1) The levees must be adequately maintained (this includes the use of rock where appropriate) to assure future failures (Linda, Jones Tract) do not occur due to lack of proper care; (2) the weirs (Fremont and Tisdale) must be cleaned out to assure they continue to function as designed as the relief valves for large flood flows; (3) the bypasses must be kept free from vegetation and other blockages to assure that these designated floodways serve their purpose as designed; and (4) the hardpoints (bridges, boat ramps, water diversions, buildings, and other public and private works) must be protected to ensure the continued viability of the communities along the river.

While flood insurance and improved flood mapping are wise measures cited in the DWR report, they will not give us the protection we need. Further, the attempt to evade liability by the State is incredulous since it was the lack of funding that led to the system's current state of disrepair. The focus should not be on how to avoid exposure, it should be to avoid future failures. The use of State funds for other purposes was a calculated decision made by the State, that resulted in other perceived benefits. As such, when this calculated risk fails, the State must remain responsible for this decision.

Lastly, while the setback levee proposal at Hamilton City has received public support from the locals in that rare case, the idea of setback levees as a cure all is uniformly opposed by the agricultural communities along the Sacramento River, as evidenced by the opposition voiced at the local town hall meetings on the subject (I have tapes for review if you would like). Setback levees will result in taking vast amounts of farm acreage out of production and thereby causing an assortment of negative economic impacts, is unlikely to provide mitigation credit (since the Hamilton City Project includes none), and would cost an incredible amount of money that would be unnecessary if efforts were refocused on maintaining the existing system as designed.

Surface Storage/Water Infrastructure/Water Transfers

While conservation, recycling, desalinization, conjunctive use, and even water transfers (to a limited extent) are all good tools for addressing the heightened demand for water resources that is coming due to population growth, it is short-sighted to think that we will be able to bridge the gap between supply and demand without investments in new surface storage and water infrastructure. While surface storage is expensive, a simple comparative analysis indicates beyond any reasonable doubt that, dollar for dollar, new surface storage will provide the biggest "bang for the buck", a necessary, yet overlooked consideration in light of the State's fiscal situation. DWR needs to play a vital role in the development and furtherance of surface storage proposals and water infrastructure, take economic considerations into account, identify beneficiaries, and push for the prompt completion of these much needed storage and conveyance projects to meet the water needs of agriculture, urban, and the environment into the future. If we do not succeed in this effort, and continue to manage our water resources in a reactive, crisis mode, the results will be disastrous.

Southern California is losing approximately 800,000 acre feet of its surplus Colorado River water. The state is growing at 600,000 people per year. The environment and regulatory interests continuously call for more water for environmental purposes. To meet this demand, we need to begin construction on the environmentally responsible surface storage projects that have been over-studied by CALFED. We can only divvy up the existing water supply so many ways before we are going to run out. With the amount of time it takes to obtain the necessary approvals and construct these projects, we should have started yesterday to assure we can meet tomorrow's demand. Increased storage capacity will benefit water supply and flood control; and improved conveyance capability will allow us the flexibility to move the water (at the appropriate times) to put our resources to use to benefit all interests.

If we fail to pursue increased surface storage, urban interests will continue to look towards transfers from agriculture as the reservoirs of the future. However, despite the apparent utility of pursuing this avenue, there is a negative side that could result in disastrous consequences: huge economic impacts to rural communities, unemployment, degradation of the environment and habitat, promotion of development, and the loss of our ability to produce a safe, affordable, reliable source of food and fiber. The benefits associated with committing to large scale market based water transfers from ag to urban in order to satiate the thirst of our state is greatly outweighed by the costs. While regional and even statewide transfers may be part of the portfolio of solutions, it cannot be viewed as the answer. DWR must emphasize to the Legislature, the Administration, and the general public that it is time to update our State's water supply infrastructure by improving conveyance and increasing surface storage.

Sacramento River Hydrologic Region

While much of the information provided in regard to the Sacramento River Hydrologic Region is informative, accurate, and helpful in understanding the big picture for this region, some of the information is clearly inaccurate and/or needless rhetoric. First, the portion that deals with the Sacramento River Conservation Area Forum neglects to discuss the overwhelming opposition from locals (I have tapes of meetings to illustrate), the fact that the size of the Conservation was reduced drastically due to public outcry, the fact that no assurance have been obtained to address the redirected negative impacts resulting in a disbanding of the landowner assurances committee, and a complete lack of participation from just about every water district in the region due to concerns of this organization. I am intimately involved in this program, and can assure you that its support is greatly waning. The concerns are the same as those set forth above, including: flood control impacts, cross boundary issues, regulation, flow manipulation, water grabs, crop predation, river meander, harm to hard points. To date, the SRCAF has bred more frustration than success. This section must be amended appropriately.

Further, unless you plan to do a section on Family Water Alliance's vision for the future of the region, as well as every other group in the Sacramento Valley, the inappropriate references to the Sacramento Valley Environmental Water Caucus must be excised, or alternatively, the vision shared by our family farms and rural residents should be placed alongside.

Conclusion

In closing, I wish to thank you for the opportunity to provide comments on the 2005 State Water Plan. I congratulate DWR and all who worked on the State Water Plan on a huge accomplishment by putting this document together, and submit the above comments respectfully, out of great concern for the future of our state. I urge you to take to heart the foregoing submitted on behalf of the rural communities and family farms of Northern California. This sector's continued existence is dependent on the protection of our water resources and appreciation of the contributions to the culture and economy of

our great State by this underrepresented demographic. Future policy making in regard to water will drive the direction of the future of California. Increased surface storage, protection of the flood control system, and a balanced and common sense approach to urban, agricultural, and environmental needs are instrumental to success. I hope the above comments have provided some direction in that regard.

If you have questions or comments regarding the foregoing, please do not hesitate to contact me.

Sincerely,

Jeffrey P. Sutton
Executive Director